

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADAJustin Dickson,  
Plaintiff,

v.

Francis, *et al.*,  
Defendants.

Case No. 2:24-cv-00430-JAD-EJY

**ORDER**

Plaintiff, a former inmate, initiated this action by submitting an application to proceed *in forma pauperis* (“IFP”) together with an unsigned Civil Rights Complaint under 42 U.S.C. § 1983. ECF Nos. 1, 1-4. The Court is unable to consider Plaintiff’s Complaint as it is not signed. *See* Fed. R. Civ. P. 11(a) (providing a complaint submitted by a pro se litigant must be signed personally by the unrepresented party). Plaintiff also filed a Motion for Appointment of Counsel, which is denied because the Court is not in receipt of a signed Complaint. ECF No. 3. In addition, according to the Nevada Department of Corrections inmate database Plaintiff is no longer in custody. Plaintiff has not filed an updated address with the Court as required by U.S. District Court for the District of Nevada Local Rule IA 3-1.

If Plaintiff wants to proceed with this action, he must file an amended complaint that is signed by him, file an updated address with the Court, and either pay the full \$405 filing fee or file a complete IFP application for non-inmates. Plaintiff is advised that an amended complaint replaces the original complaint, so the amended complaint must be complete in itself. *See Hal Roach Studios, Inc. v. Richard Feiner & Co.*, 896 F.2d 1542, 1546 (9th Cir. 1989). This means the amended complaint must contain all claims, defendants, and factual allegations that Plaintiff wishes to pursue in this action. The submission of a mere signature page will not be enough. Moreover, Plaintiff should file the amended complaint on this Court’s approved civil-rights form, and it must be titled “First Amended Complaint.”

Accordingly, IT IS HEREBY ORDERED that Plaintiff’s application to proceed *in forma pauperis* for an inmate (ECF No. 1) is DENIED as moot.

1 IT IS FURTHER ORDERED that Plaintiff's Motion for Appointment of Counsel (ECF No.  
2 3) is DENIED without prejudice.

3 IT IS FURTHER ORDERED that on or before **September 23, 2024**, Plaintiff **must** either  
4 pay the \$405 filing fee for a civil action or file with the Court a complete **Application to Proceed**  
5 ***in Forma Pauperis*** for non-inmates.

6 IT IS FURTHER ORDERED that on or before **September 23, 2024**, Plaintiff **must** file his  
7 updated address with the Court.

8 IT IS FURTHER ORDERED that on or before **September 23, 2024**, Plaintiff **must** file a  
9 signed First Amended Complaint with the Court.

10 IT IS FURTHER ORDERED that the Clerk of the Court **must** send Plaintiff (1) the approved  
11 form for filing a 42 U.S.C. § 1983 Complaint and instructions for filing the same, and (2) the  
12 approved form application to proceed *in forma pauperis* for non-inmates along with the information  
13 and instructions for filing the same.

14 IT IS FURTHER ORDERED that failure to comply with this Order will result in a  
15 recommendation to dismiss this action **without prejudice**. A dismissal without prejudice allows  
16 Plaintiff to file his case with the Court, under a new case number, when he is able to comply with  
17 LSR 2-1 and file a complete application to proceed *in forma pauperis* for non-inmates or pay the  
18 required filing fee.

19 DATED this 26th day of August, 2024.

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21 ELAYNA J. YOUCHAH  
22 UNITED STATES MAGISTRATE JUDGE  
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